

REMARKS

The present application includes claims 1-23. Claims 17, 19, and 20 were allowed by the Examiner. Claims 2, 3, 5, 6, 11-14 and 18 were objected to by the Examiner. Claims 1, 4, 7-10, 15 and 16 were rejected by the Examiner. Claim 4 was rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claims 1, 4, 7-10, 15, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,464,594 to Canna et al. in view of U.S. Pat. No. 5,516,264 to Anetrini. By this Amendment, claims 3, 4, 12, and 18 have been amended and new claims 21-23 have been added.

The Examiner objected to the drawings submitted with the application for not complying with the formal drawing requirement. Accordingly, the Applicants submit formal drawings along with this Amendment.

Objections

Claims 3, 12, and 18 were objected to because they included the word “Velcro” in all caps. Claims 3, 12, and 18 have been amended to overcome this objection, and the Applicants respectfully submit that claims 3, 12, and 18 are now allowable.

35 U.S.C. § 112 Rejections

Claim 4 was rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, claim 4 was rejected because the claim term “closed end”

did not have an antecedent basis. Claim 4 has been amended to include an antecedent basis for this term, and the Applicants respectfully submit that claim 4 satisfies 35 U.S.C. § 112.

35 U.S.C. § 103(a) Obviousness Rejections

Claims 1, 4, 7-10, 15, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,464,594 to Canna et al. in view of U.S. Pat. No. 5,516,264 to Anetrini. Claims 2, 5, 6, 11, 13, and 14 were objected to as being dependent upon claims rejected under § 103(a). Canna et al. discloses a child's entertainment device that includes a mobile/entertainment member that has a connector structure that can engage a receiving member located on a child support device. The connector structure can be formed as a button-like protuberance that is lockable in a receiving member at a predetermined position while rotatable with the respect to the receiving member. When the entertainment member is attached to the receiving member, the mobile/entertainment member and attached soft toys can spin and entertain a child. The mobile may be attached to a child support device such as a child's cradle, bassinet, swing, bouncer, or car seat, etc. Canna et al. at Abstract.

Anetrini discloses a ceiling fan blade slip cover having a fitted case which is dimensioned to generally conform to the shape of a ceiling fan blade, wherein the mouth of the fitted case is closable about the arm of the ceiling fan blade. The mouth is used to install and remove the ceiling fan blade slip cover with respect to its respective ceiling fan blade. The mouth is provided with an elastic gather, and/or be provided with a

releasable fastener, such as for example a Velcro type hook and loop fastener. A preferred material for the fitted case is a fabric having a selected color, pattern or other indicia thereupon which harmoniously matches the decor of the room. Anetrini at Abstract.

To establish *prima facie* obviousness of a claimed invention, *all the limitations* must be taught or suggested by the prior art. MPEP 2143.03. However, neither Canna et al., nor Anetrini, teaches or suggests “connection features extending from said sleeve and said ornament” as recited in claim 1, “said cover having a first connection feature extending therefrom” as recited in claim 10, and “said cover having a first connection feature extending therefrom” as recited in claim 17. Canna et al. discloses structures for attaching entertainment structures to a rotary structure, or “soft mobile” entertainment member. Canna et al. at 3:25-30; 5:42-46. However, Canna et al. does not teach a connection feature extending from a *cover* or *sleeve*. Similarly, with respect to new claims 21-23, Canna et al. does not teach “said ornament and said *sleeve* being configured to be connected to each other.” Therefore, neither Canna et al., nor Anetrini, teaches all the limitations of claims 1, 4, 7-10, 15, 16, and 21-23 and Applicants respectfully submit that claims 1, 4, 7-10, 15, 16, and 21-23 are not unpatentable under 35 U.S.C. § 103(a) and should be in condition for allowance. Likewise, claims 2, 3, 5, 6, 11, 12, 13, and 14, which were objected to as being dependent upon claims rejected under § 103(a), should be in condition for allowance.

Additionally, with respect to claims 4, 8, and 15, neither Canna et al., nor Anetrini, teaches or suggests that the rear or side ends of the sleeve or cover are sewn or stitched together. Therefore, neither Canna et al., nor Anetrini, teaches all the limitations of claims 4, 8, and 15 and Applicants respectfully submit that claims 4, 8, and 15 are not unpatentable under 35 U.S.C. § 103(a) and should be in condition for allowance.

Furthermore, to establish a *prima facie* case of obviousness, there must be some suggestion or motivation to modify the references or to combine reference teachings. However, there would have been no motivation or suggestion for one of ordinary skill in the art to modify Canna et al. or combine Canna et al. with Anetrini as the office action proposes. First, the references themselves do not provide any suggestion or motivation to combine them. In fact, Canna et al. teaches away from such a combination. Canna et al. discloses a mobile that “is located *within reach of a child* located in the swing seat,” Canna et al. at 3:25-29, however, Anetrini discloses a cover directed to use with a ceiling fan. Therefore, a person of skill in the art would have been taught away from combining the reachable mobile of Canna et al. with a cover for a fan mounted on the ceiling as disclosed in Anetrini.

Second, Canna et al. and Anetrini are non-analogous references. Again, Canna et al. discloses a child’s mobile and Anetrini discloses a fan blade cover; clearly these references are not in the same field. These references have different classes and fields of search. Furthermore, these references disclose inventions having completely different structures and functions. *In re Ellis*, 476 F.2d 1370, 1372 (CCPA 1973). Canna et al. discloses a structure

supporting a child seat and a detachable mobile for the purposes of entertaining a child while Anetrini discloses a fan blade cover for the purposes of décor and easy cleaning. Thus, these two references are completely unrelated and non-analogous, and the Applicants respectfully submit that there would have been no motivation to combine the detachable mobile of Canna et al. with the blade cover of Anetrini to arrive at the invention of claims 1, 4, 7-10, 15, 16 and 21-23. Therefore, Applicants respectfully submit that claims 1, 4, 7-10, 15, 16 and 21-23 should be in condition for allowance. Likewise, claims 2, 3, 5, 6, 11, 12, 13, and 14, which were objected to as being dependent upon claims rejected under § 103(a), should be in condition for allowance.

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CONCLUSION

If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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David Z. Petty
David Z. Petty
Registration No. 52,119
Attorney for Applicants

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, IL 60661

Telephone: (312) 775-8000
Facsimile: (312) 775-8100